

Mr Stewart

Editor, Quincy Herald

1848

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J. J. S. Pamphlet Box 75

Halifax (City) Charter.

REPORT OF SPECIAL COMMITTEE ON RE-  
VISION OF THE CITY CHARTER.

Submitted and read at a meeting of the City Council,  
Dec. 8th, 1885, and directed to be published for the in-  
formation of Council.

THOS. RHIND,  
City Clerk.

REPORT OF SPECIAL COMMITTEE ON RE-  
VISION OF THE CITY CHARTER.

Presented to the Board of Aldermen, City Council,  
at its regular session held on the 10th day of

May, 1906.

*To His Worship the Mayor and the City Council of the  
City of Halifax:*

The Committee of the City Council appointed to revise the City Charter hereby report to the City Council the proposed amendments to title one of the City Charter which are embodied in the papers herewith enclosed, and request the concurrence of the Council therein.

B. F. PEARSON,  
*Chairman.*

Halifax, Dec. 7th, A. D. 1885.

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*Whereas*, this committee recognize the necessity of a radical reform in the Government of the affairs of the City of Halifax otherwise than that hitherto provided for in the City Charter and the amendments thereof;

*And whereas*, this Committee is of the opinion that it is expedient and necessary before entering upon the revision of the City Charter and before making any material alteration in the provisions of the law regulating the present Government of the City and the administration of the laws and ordinances therein, to ascertain the opinion of the City Council thereupon;

*Therefore resolved*, that this Committee do report to the City Council the proposed changes in title one of the City Charter, a true copy of which is exhibited herewith and which fairly outlines the general scope of the proposed changes, and request the favorable opinion of the Council thereupon.

B. F. PEARSON,  
*Chairman of Committee to Revise City Charter.*

## TITLE I.

6. The administration of all the fiscal, prudential and municipal affairs of the City of Halifax, with the government thereof, shall be vested in the City Council, which shall consist of one principal magistrate, to be styled the Mayor; and one Council of eighteen members or Aldermen, hereinafter denominated the City Council, all of whom shall be inhabitants of said City of Halifax. The said Mayor and said eighteen Aldermen shall constitute and be called the City Council.

7. Each ward shall elect three aldermen.

8. The qualification, term of office and manner of the election of the said Mayor and Aldermen shall be as hereinafter provided.

9. The administration and government of said City shall be divided into two parts, hereinafter called the "Legislative" and the "Executive."

10. The Mayor shall be the chief executive magistrate of said city and he shall be the head, and act under the direction of the majority of a committee of six of the Board of Aldermen composed of one alderman, chosen by the Council from each ward, to be designated the Civic Board, but all acts of said Mayor and acts of said Mayor and Committee shall be done by and in the name of the Mayor.

11. It shall be the duty of the said Mayor and Committee, acting as aforesaid.

(a) To cause the ordinances of the city and all general laws applicable to the City of Halifax to be executed and enforced;

(b) To communicate to the City Council at least once a year a statement of the finances and general condition of the affairs of the City, and also such information as the City Council shall require.

(c) To recommend by message in writing to the Council, all such measures connected with the affair of the city, and the protection and improvement of its govern-



ment and finances, as to the said Mayor and a majority of said committee shall be deemed expedient ;

(d) To call all special meetings of the City Council whenever it may be deemed expedient, but the Mayor shall have the power to call such meetings without the consent of said committee. The Mayor shall preside but shall only have a casting vote ;

(e) To be responsible for the good order and efficient government of the City ;

(f) To assume and have the direction of and exercise a general supervision over the various heads of departments, hereinafter designated and created, and over the conduct of all the subordinate offices thereof, and to cause all violations or neglect of duty on their part to be punished ;

(g) To appoint as often as may be thought proper three competent persons to examine without notice the accounts of any city department, trust, officer or employee, and the money securities and property belonging to the city in the possession or charge of such department, trustees, officers or employees and report the result of such investigation to the City Council ;

(h) To carry out and perform such duties as may be prescribed by law or ordinances, and generally to give effect to and carry out or cause to be carried out all resolutions and recommendations of the City Council ;

(i) To summon before said Mayor and Committee each head of department, collectively or otherwise, at least once a month for consultation and advice upon the affairs of the city, and at such meetings said heads of departments may be called upon for such reports as to the subject matter under their control and management as the said Mayor and Committee may deem proper, which it shall be their duty to at once prepare and submit to said Mayor and Committee ;

(j) To keep records of such meetings of the Mayor and Committee and to adopt rules and regulations for the administration of the affairs of the city departments not inconsistent with any law, ordinance, resolution or by-law of the City Council, which regulations shall prescribe a common and systematic method for the government and

direction of said departments and of ascertaining the comparative fitness of applicants for office, position and promotion, and of selecting, appointing and promoting those found to be best fitted without regard to their political or religious opinions ;

(k) To recommend and nominate to the Board of Aldermen all persons for appointment to office or promotion therein ;

(l) To exact and receive from the several heads of departments annually on or before the Monday preceeding the end of each fiscal year a report of their proceedings during the preceeding year and transmit the same to the City Council with all recommendations that may be thought proper.

12. The sum of five thousand dollars shall be paid to the Mayor and Civic Board, of which the Mayor shall receive \$2,000, and the balance shall be divided among the remaining members according to their attendance at the meetings of the Board.

14. The City Council shall be invested with the entire legislative functions and powers pertaining to the government of the city, and may from time to time make, alter, amend or repeal by-laws or ordinances for the good rule, peace, government and welfare of the city, and for carrying into effect more fully all powers, functions and offices vested in the corporation by law; and in addition to the above, may enact, alter, amend or repeal ordinances or by-laws upon the following subjects:

*First.*—Providing for the re-organization of the several departments of the city, so as to conform to the requirements of this charter.

*Second.*—To assess, levy and collect all taxes for general and special purposes and licenses; to borrow money on the faith and credit of the city, by the issue or sale of bonds or notes, for such amounts, and for such time, and for such purpose, as may be required for current expenses, and for payment of maturing bonds; to appropriate the money of the city for legitimate purposes, and provide for its debts and expenses.

*Third.*—To establish, open, vacate, alter, widen, extend, pave or otherwise improve, and sprinkle all streets, avenues, sidewalks, alleys, wharves and public grounds and squares, and provide for the payment of the costs and expenses thereof; and also to provide for grading, light-

ing, cleaning and repairing the same, and to compel the owner or occupant of buildings or grounds to remove snow, dirt or rubbish from the sidewalk or alley opposite thereto, and to condemn private property for public use, as provided for in this charter; to construct and keep in repair all bridges, streets, sewers and drains, and to regulate the use thereof, and to confine, wall up, cover over, alter or change the channel of water courses; to establish and maintain waterworks for fully supplying the city with wholesome water, and to distribute the same for public and private use, in such manner and upon such terms as shall be provided by ordinance; to establish and maintain a sanitary system, a system of police, and a fire department.

*Fourth.*—To erect, purchase or rent a city hall, engine houses, and all other necessary municipal buildings; to establish market-places and meat shops, and to license, regulate, sell, lease, abolish or otherwise dispose of the same; and to enclose, improve, regulate or sell all parks and other public grounds belonging to the city.

*Fifth.*—To regulate and license the exhibitions of common showmen and shows of all kinds, and also all auctioneers within the city; and all ferries and tow-boats, towing-boats or other water craft into or within the harbor; to sell ferry privileges within the city limits, and to establish ferry rates; to charge and collect wharfage on firewood, lumber, timber, logs, shingles, staves, posts, laths and other articles brought to the Port of Halifax and landed on city property; to set aside or lease portions of said property for special purposes, but no permit to use any portion of the wharf, or any lease of the same, shall be granted for a term exceeding fifty years.

*Sixth.*—To establish and enforce laws and regulations to prevent the introduction and spread of contagious diseases, and to secure the general health of the inhabitants by any measure necessary; to regulate the slaughtering of animals; provide for the erection, management and regulation of slaughter houses; prevent the driving of stock through the city; prohibit the erection of soap factories, stock yards and slaughter houses, pig-pens, cow stables and dairies, coal oil and vitriol factories within prescribed limits, and to remove and regulate the same; and to regulate or prevent the carrying on of any business which



may be dangerous or detrimental to the public health, or the manufacture or vending of articles obnoxious to the health of the inhabitants; and to declare, prevent and abate nuisance on public or private property and the causes thereof; and the Mayor, whenever in his opinion, a nuisance exists on public or private property, or whenever a nuisance has been so declared by ordinance or resolution of the Board of Health is authorized to abate and remove such nuisance and the cause thereof in a summary manner at the cost of the owner or occupant of the premises where the nuisance, or the cause thereof, may be, and for that purpose may enter upon and take possession of any premises or property where such nuisance may exist or be produced.

*Seventh.*—To make provision for the inspection and measurement of lumber and other building material, and to license engineers using steam boilers in said city; for the inspection of beef, pork, flour, meal, oil, coal oil, naphtha, benzine and other burning fluids, molasses, syrups, turpentine, vinegar, beer and ale, wines, whisky, rum, brandy and other spirituous liquors in barrels, hogsheads and other vessels; for the inspection and weighing or measuring hay or stone, coal, charcoal, firewood and all other kinds of fuel to be used in the City of Halifax; for the inspection of butter, cheese, milk, lard and other provisions; for regulating the weight and quality of bread; the price and quality of gas; and for the inspection and vending of meat, poultry, fish and vegetables; to designate the place where such articles shall be sold; restrain and punish the forestalling of poultry, butter, eggs, vegetables, and fruit; and regulate or suppress hucksters, provided that nothing in this article shall be construed so as to authorize the inspection of any article enumerated in this Act, which is to be shipped beyond the limits of the city, except at the request of the owner thereof; and provided further, that the inspectors under this subdivision shall be qualified by practical experience to discharge their respective duties.

*Eighth.*—To regulate and provide for the election or appointment of city officers, required by this charter, or authorized by ordinance and provide for their suspension or removal: and they shall establish the salaries of all officers and the compensation of all employes, excepting

day laborers, respectively, for their services : Provided, That the salary of no officer shall be changed during the term for which he is elected or appointed, and that no other officer receiving a salary shall receive fees or other compensation for his services.

*Ninth.*—To restrain and prevent any riot, rout, noise, disturbance, or disorderly assemblage, and amusement dangerous to persons or property, in any street, house or place in the city, and regulate or prohibit the running at large of cattle, cows, hogs, goats, dogs, and every other brute animal within the limits of the city, and to kill or confiscate the same when at large contrary to the ordinance ; to prevent and remove all obstructions and encroachments upon the sidewalks, curbstones carriage-ways, streets, avenues and alleys, at the expense of the owners of the ground fronting thereon or otherwise, and to regulate and prohibit the building of vaults under sidewalks.

*Tenth.*—To impose, collect and enforce fines, forfeitures and penalties for the breach of any city ordinance, by fine, or imprisonment, or both.

*Eleventh.*—To take all needful steps in and out of the Province to protect the rights of the city in any corporation in which the city may have acquired an interest ; to have sole power and authority to grant to persons or corporations the right to construct railways in the city, subject to the right to amend, alter or repeal any such grant, in whole or in part, and to regulate and control the same, as to their fares, hours and frequency of trips, and the repair of their trucks, and the kind of their rails and vehicles ; but every right so granted shall cease unless the work of construction shall be begun within one year from the granting of the right, and be continued to completion with all reasonably practical speed.

*Twelfth.*—The City Council, through its officers, may, at all reasonable times, enter into and examine all dwellings, lots, yards, enclosures and buildings of every description, to ascertain their condition for health, cleanliness and safety ; take down and remove buildings, walls or superstructures that are or may become dangerous, or require owners to remove or put them in a safe and secure condition, at their own expense ; regulate the storage of

gunpowder, giant powder, dynamite, nitro-glycerine and other explosive compounds, and of all combustible and inflammable materials; the use of lights and candles in stables, shops and other places; remove or prevent the construction of any fire-places, chimneys, stove, oven, boiler, kettles or any apparatus used in any house, building, manufactory or business which is liable to cause fires or conflagrations; direct the safe deposit of ashes, or other dangerous rubbish or material, and order and regulate the building of partition, parapet and fire-walls, partition fences, smoke flues, hot-air flues, smoke stacks, and the erection and cleaning of chimneys; shall provide for the safe construction, inspection and repairs of all private or public buildings within the prescribed limits, and remove the same at the owner's expense when erected or suffered to remain contrary to law or ordinance; compel persons to aid in extinguishing fires, or in the preservation of property liable to be destroyed or stolen, and compel owners of buildings to have scuttles on their roofs, and stairs or ladders leaning thereto.

*Thirteenth.*—To make suitable provision for the maintenance and support of poor persons.

*Fourteenth.*—Finally, to pass all such ordinances not inconsistent with the provisions of this charter, or the laws of the Province, as may be expedient in maintaining the peace, good government, health and welfare of the city, its trade, commerce and manufactures, and to enforce the same as hereinbefore provided, not exceeding five hundred dollars; and by forfeitures not exceeding one thousand dollars; to purchase, rent or lease within the limits of the city or elsewhere, any real or personal property, and to control, manage, sell or lease, or otherwise dispose of the same for such purposes and considerations as they may deem proper for the public welfare of the city.

13. To prevent and punish horse racing, immoderate riding or driving in the streets; to compel persons to fasten their horses or other animals attached to vehicles, or otherwise, while standing in the streets, and to regulate places of bathing and swimming in the waters within the limits of the city.